

February 16, 1983

CLERK: 25 ayes, 9 nays, Mr. President, on the adoption of committee amendments.

PRESIDENT: The committee amendments are adopted. Before we go to the bill, Senator Johnson, I would like to announce that there are guests from Murdock, the area represented by Senator Carsten who is excused today, in the North balcony, 14 junior and senior students with the teacher, Ken Glantz. Welcome to our proceedings. Also a guest of Senator Remmers under the South balcony with Mrs. Remmers is Mrs. Ed Howe of Humboldt. Welcome to the Legislature. The Chair would like to announce that while the Legislature is in session and capable of transacting business, I propose to sign and do sign LBs 22, 39, 52, 116, 162, 163, 274 and LB 58. Anything on the desk, Mr. Clerk?

CLERK: If I may very quickly, Senator Von Minden would like to print amendments to LB 50 in the Journal. (See pages 539-541 of the Legislative Journal.)

Your committee on Revenue reports LB 396 advanced to General File; LB 169 General File with amendments; LB 344 General File with amendments; LB 365 General File with amendments and LB 391 General File with amendments. Those are signed by Senator Hefner as vice Chair. (See pages 542-544 of the Legislative Journal.)

PRESIDENT: The Chair now recognizes Senator Vard Johnson for ten minutes for the explanation of LB 110.

SENATOR V. JOHNSON: Mr. President, members of the body, I don't intend to take the full ten minutes on LB 110. Current statutes allow a criminal defendant, that is a person who has been charged with a felony offense which is a major crime, allows that defendant and his lawyer to discover some of the evidence that is going to be used in connection with the proceedings against him or her. As Senator Beutler pointed out in opening remarks on this legislation, current statutes also allow the state prosecutor to obtain from that criminal defendant evidence which that criminal defendant may use in defense of his case. That was something that I learned incidentally during the course of my judiciary hearing on this bill because I just didn't know the answer to that question. But the State of Nebraska has reciprocity in discovery. There is cross discovery that operates in the felony context. LB 110 would extend the discovery procedures from the felony context down to the misdemeanor context and as you have heard during the discussion of the committee amendments, it would only deal with those misdemeanors or those ordinance violations which cities might have where there is a possibility